

public accounts, the Texas Public Finance Authority, or any other state agency as necessary to conduct the study required by this section.

(d) Not later than November 1, 2016, the department shall submit a report on the results of the study to the governor, the lieutenant governor, and the presiding officers of the standing committees of the senate and house of representatives having jurisdiction over criminal justice programs and services. The report must indicate whether and to what degree implementing a pay-for-performance program described by Subsection (b) of this section would be cost-effective and feasible, as determined by the department. If the department determines a pay-for-performance program would be cost-effective and feasible, the report must:

(1) make recommendations regarding the manner in which the department could effectively operate the program and the types of criminal justice programs and services that would be selected for the program; and

(2) identify any changes in law necessary for implementation of the program.

(e) This section expires January 1, 2017.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on May 6, 2015: Yeas 140, Nays 5, 2 present, not voting; passed by the Senate on May 26, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective June 17, 2015.

INFORMATION PROVIDED BY ELECTRONIC MEANS IN SUPPORT OF THE ISSUANCE OF A SEARCH WARRANT

CHAPTER 683

H.B. No. 326

AN ACT

relating to information provided by electronic means in support of the issuance of a search warrant.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 18.01, Code of Criminal Procedure, is amended by adding Subsection (b-1) to read as follows:

(b-1)(1) For purposes of this article, a magistrate may consider information communicated by telephone or other reliable electronic means in determining whether to issue a search warrant. The magistrate may examine an applicant for a search warrant and any person on whose testimony the application is based. The applicant or other person must be placed under oath before the examination.

(2) If an applicant for a search warrant attests to the contents of an affidavit submitted by reliable electronic means, the magistrate must acknowledge the attestation in writing on the affidavit. If the magistrate considers additional testimony or exhibits, the magistrate must:

(A) ensure that the testimony is recorded verbatim by an electronic recording device, by a court reporter, or in writing;

(B) ensure that any recording or reporter's notes are transcribed and that the transcription is certified as accurate and is preserved;

(C) sign, certify the accuracy of, and preserve any other written record; and

(D) ensure that the exhibits are preserved.

(3) An applicant for a search warrant who submits information as authorized by this subsection must prepare a proposed duplicate original of the warrant and must read or otherwise transmit its contents verbatim to the magistrate. A magistrate must enter into an original search warrant the contents of a proposed duplicate original that are read to the magistrate. If the applicant transmits the contents by reliable electronic means, the transmission received by the magistrate may serve as the original search warrant.

(4) The magistrate may modify a search warrant that is submitted as described by Subdivision (3). If the magistrate modifies the warrant, the magistrate must:

(A) transmit the modified version to the applicant by reliable electronic means; or

(B) file the modified original and direct the applicant to modify the proposed duplicate original accordingly.

(5) A magistrate who issues a search warrant for which information is provided by telephone or reliable electronic means must:

(A) sign the original documents;

(B) enter the date and time of issuance on the warrant; and

(C) transmit the warrant by reliable electronic means to the applicant or direct the applicant to sign the judge's name and enter the date and time on the duplicate original.

(6) Evidence obtained pursuant to a search warrant for which information was provided in accordance with this subsection is not subject to suppression on the ground that issuing the warrant in compliance with this subsection was unreasonable under the circumstances, absent a finding of bad faith.

SECTION 2. The change in law made by this Act applies only to a search warrant that is issued on or after the effective date of this Act. A search warrant that was issued before the effective date of this Act is governed by the law in effect on the date the warrant was issued, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.

Passed by the House on May 6, 2015: Yeas 143, Nays 1, 2 present, not voting; passed by the Senate on May 26, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective September 1, 2015.

MONITORING OF THE INTERNET ACCESS OF CERTAIN SEX OFFENDERS PLACED ON COMMUNITY SUPERVISION OR RELEASED ON PAROLE OR TO MANDATORY SUPERVISION

CHAPTER 684

H.B. No. 372

AN ACT

relating to the monitoring of the Internet access of certain sex offenders placed on community supervision or released on parole or to mandatory supervision.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 13G, Article 42.12, Code of Criminal Procedure, is amended to read as follows:

Sec. 13G. PROHIBITIONS ON INTERNET ACCESS FOR CERTAIN SEX OFFENDERS. (a) This section applies only to a person who is required to register as a sex offender under Chapter 62, by court order or otherwise, and:

(1) is convicted of or receives a grant of deferred adjudication community supervision